

CCG Constitution - APPENDIX F1 - Scheme of Reservation and Delegation - committees, Chair, AO and CFO

Policy Area	Decision	Reserved to the Membership	Reserved/delegated to the Governing Body	Reserved/delegated to the Audit Committee	Reserved /delegated to the Remuneration Committee	Other Committees and Sub - Committees	Reserved/delegated to the Chair	Reserved/delegated to the AO	Reserved/delegated to the DAO	Reserved /delegated to the CFO
REGULATION AND CONTROL	Determine the arrangements by which the members of the CCG approve those decisions that are reserved for the membership	Y								
REGULATION AND CONTROL	Consideration and approval of applications to the NHS England on any matter concerning changes to the CCG's constitution	Y								
PRACTICE MEMBER REPRESENTATION AND MEMBERS OF THE GOVERNING BODY	Approve the arrangements for * Identifying practice members to represent practices in matters concerning the work of the CCG; and * appointing clinical leaders to represent the CCG's membership on the CCG's Governing Body, for example through election (if desired)	Y								
PRACTICE MEMBER REPRESENTATION AND MEMBERS OF THE GOVERNING BODY	Approve the appointment of Governing Body members, the process for recruiting and removing non-elected members of the Governing Body (subject to any regulatory requirements) and succession planning	Y								
PRACTICE MEMBER REPRESENTATION AND MEMBERS OF THE GOVERNING BODY	Approve arrangements for identifying the CCG's proposed accountable officer	Y								
STRATEGY AND PLANNING	Agree the vision, values and overall strategic direction of the CCG	Y								
REGULATION AND CONTROL	Exercise or delegation of those functions of the CCG which have not been retained as reserved by the CCG, delegated to the Governing Body, delegated to a committee or sub-committee of the CCG or to one of its members or employees							Y	Y	
REGULATION AND CONTROL	Prepare the CCG's overarching scheme of reservation and delegation, which sets out those decisions of the CCG reserved to the membership and those delegated to the * CCG's Governing Body * committees and sub-committees of the CCG, or * its members or employees and sets out those decisions of the Governing Body reserved to the Governing Body and those delegated to the * executive committee or other committees or sub-committees * members of the Governing Body * an individual who is a member of the CCG but not the Governing Body or specified person for inclusion in the CCG's constitution							Y		Y
REGULATION AND CONTROL	Approval of the CCG's overarching scheme of reservation and delegation		Y							
REGULATION AND CONTROL	Notification to Governing Body of decision to suspend standing orders							Y	Y	
REGULATION AND CONTROL	Prepare the CCG's operational scheme of delegation, which sets out those key operational decisions delegated to individual employees of the CCG, committees and sub-committees (including joint committees)							Y		Y
REGULATION AND CONTROL	Approval of the CCG's operational scheme of delegation that underpins the CCG's overarching scheme of reservation and delegation as set out in its constitution		Y							
REGULATION AND CONTROL	Prepare detailed financial policies that underpin the CCG's prime financial policies									Y
REGULATION AND CONTROL	Review the prime financial policies at least annually, and recommend amendments to the audit committee									Y
REGULATION AND CONTROL	Review the prime financial policies at least annually, and recommend amendments to the Governing Body			Y						
REGULATION AND CONTROL	Approve detailed financial policies		Y							
REGULATION AND CONTROL	Advice on interpretation or application of Prime Financial policies									Y
REGULATION AND CONTROL	Final authority on interpretation of the CCG's constitution and supporting appendices						Y			
REGULATION AND CONTROL	Report non-compliance of prime financial policies to the next formal meeting of the audit committee									Y
REGULATION AND CONTROL	Ensure that contractors and their employees are made aware of their responsibilities under the standing orders, prime financial policies and scheme of reservation and delegation							Y	Y	
REGULATION AND CONTROL	Receive reports and/or minutes from its sub-committees		Y							

Policy Area	Decision	Reserved to the Membership	Reserved/delegated to the Governing Body	Reserved/delegated to the Audit Committee	Reserved /delegated to the Remuneration Committee	Other Committees and Sub - Committees	Reserved/delegated to the Chair	Reserved/delegated to the AO	Reserved/delegated to the DAO	Reserved /delegated to the CFO
REGULATION AND CONTROL	Exercise the powers that the Governing Body has reserved to itself in an emergency or urgent decision						Y			
REGULATION AND CONTROL	Take any urgent/emergency decisions made by the Chair for ratification in public		Y							
REGULATION AND CONTROL	Approve arrangements for managing exceptional funding requests							Y	Y	
REGULATION AND CONTROL	Ensuring that the CCG has appropriate arrangements in place to exercise its functions effectively, efficiently and economically and in accordance with the CCG's principles of good governance		Y							
REGULATION AND CONTROL	Waive formal tendering procedures and report any such waivers to the Audit Committee. Approve single tender waivers.									Y
REGULATION AND CONTROL	Approve the CCG's Code of Conduct, Whistleblowing and Conflicts of Interest Policies		Y							
REGULATION AND CONTROL	Management of Petitions to the Governing Body						Y			
STRATEGY AND PLANNING	Approval of the CCG's operating structure		Y							
STRATEGY AND PLANNING	Agree that the CCG's commissioning plans are aligned with the CCG's strategy		Y							
STRATEGY AND PLANNING	Approval of the CCG's commissioning plan		Y							
STRATEGY AND PLANNING	Approval of the CCG's corporate budgets that meet the financial duties as set out in the constitution		Y							
STRATEGY AND PLANNING	Approval of variations to the approved budgets where variation would have a significant impact on the overall approved levels of income and expenditure or the CCG's ability to achieve its agreed strategic aims		Y							
ANNUAL REPORTS AND ACCOUNTS	Approval of the CCG's annual report and annual accounts, and report on those accounts to the Governing Body			Y						
ANNUAL REPORTS AND ACCOUNTS	Approval of the arrangements for discharging the CCG's statutory financial duties							Y		Y
HUMAN RESOURCES	Advise and recommend to the CCG Members (via the Governing Body) a framework for the remuneration, allowances and terms of service for employees of the CCG and people who provide				Y					
HUMAN RESOURCES	Approve the terms and conditions, remuneration and travelling or other allowances for Governing Body members and other employees not covered by national arrangements, including pensions and gratuities				Y					
HUMAN RESOURCES	Approve disciplinary arrangements for employees, including the accountable officer and for other persons working on behalf of the CCG				Y					
HUMAN RESOURCES	Review disciplinary arrangements where the Accountable Officer is an employee or member of another clinical commissioning group.									
HUMAN RESOURCES	Approve arrangements for performance related elements or bonuses to ensure probity and value for money; and determination of National Recruitment and Retention Premia ("NRRP")									
HUMAN RESOURCES	Consider and recommend the severance/redundancy payments of the Accountable Officer and of other senior staff, seeking HM Treasury approval as appropriate in									
HUMAN RESOURCES	Determine the terms and conditions of employment for all employees of the Group.									
HUMAN RESOURCES	Agree any pay policy and payment framework for VSM employees and clinical commissioning roles of the CCG, and people who provide services to the CCG, notwithstanding provisions to mirror the									
HUMAN RESOURCES	Agree any other potential alternative remuneration and conditions of service for CCG employees and other persons providing services to the CCG, outside of or in place of national Agenda for									
HUMAN RESOURCES	Agree arrangements for termination of employment for employees and variation of other contractual terms									
HUMAN RESOURCES	Making relevant policy decisions within the functions of the Committee as set out in its Terms of Reference as ratified by the Governing Body									
HUMAN RESOURCES	Approval of the arrangements for discharging the CCG's statutory duties as an employer		Y							

Policy Area	Decision	Reserved to the Membership	Reserved/delegated to the Governing Body	Reserved/delegated to the Audit Committee	Reserved/delegated to the Remuneration Committee	Other Committees and Sub - Committees	Reserved/delegated to the Chair	Reserved/delegated to the AO	Reserved/delegated to the DAO	Reserved/delegated to the CFO
HUMAN RESOURCES	Ensure an effective payroll service and that there are comprehensive procedures for effective processing of payroll									
HUMAN RESOURCES	Appoint and ensure the effectiveness of the Senior Leadership Team		Y							
QUALITY AND SAFETY	Approve arrangements, including supporting policies, to minimise clinical risk, maximise patient safety and to secure continuous improvement in quality and patient outcomes		Y							
QUALITY AND SAFETY	Approve arrangements for supporting NHS England in discharging its responsibilities in relation to securing continuous improvement in quality of general medical services		Y							
QUALITY AND SAFETY	Approve arrangements for safeguarding of children and adults; receive the annual report of both Safeguarding Boards		Y							
OPERATIONAL AND RISK MANAGEMENT	Prepare an operational scheme of delegation that sets out who has responsibility for operational decisions						Y			Y
OPERATIONAL AND RISK MANAGEMENT	Approve the CCG's counter fraud and security management arrangements			Y						
OPERATIONAL AND RISK MANAGEMENT	Approval of the CCG's risk management arrangements			Y						
OPERATIONAL AND RISK MANAGEMENT	Approve arrangements for risk sharing and/or risk pooling with other organisations (for example arrangements for pooled funds with other CCG's or pooled budget arrangements under section 75 of the NHS Act 2006)		Y							
OPERATIONAL AND RISK MANAGEMENT	Approval of a comprehensive system of internal control, including budgetary control, that underpin the effective, efficient and economic operation of the CCG			Y						
OPERATIONAL AND RISK MANAGEMENT	Overall responsibility for the CCG's systems of internal control						Y			Y
OPERATIONAL AND RISK MANAGEMENT	Approve proposals for action on litigation against or on behalf of the CCG						Y	Y		
OPERATIONAL AND RISK MANAGEMENT	Determining the CCG's arrangement for business continuity and emergency planning						Y	Y		
OPERATIONAL AND RISK MANAGEMENT	Approve the CCG's arrangements for business continuity and emergency planning		Y							
OPERATIONAL AND RISK MANAGEMENT	Approve the CCG's arrangements for handling of complaints						Y	Y		
OPERATIONAL AND RISK MANAGEMENT	Approve the banking arrangements			Y						
OPERATIONAL AND RISK MANAGEMENT	Approve the arrangements for category two emergency preparedness resilience and response as per the Civil Contingencies Act						Y	Y		
INFORMATION GOVERNANCE	Confirm the appointments of the Senior Information Risk Owner (SIRO) and the Caldicott Guardian		Y							
INFORMATION GOVERNANCE	Approval of the arrangements for ensuring appropriate and safekeeping and confidentiality of records and for the storage, management and transfer of information and data		Y							
PARTNERSHIP WORKING	Approve arrangements to develop joint strategic needs assessments and joint health and wellbeing strategy						Y	Y		
COMMISSIONING AND CONTRACTING FOR CLINICAL SERVICES	Approval of the arrangements for discharging the CCG's statutory duties associated with its commissioning functions, including but not limited to promoting the involvement of each patient, patient choice, improvement in the quality of services, obtaining appropriate advice and public engagement and consultation		Y							
COMMISSIONING AND CONTRACTING FOR CLINICAL SERVICES	Approval of the CCG's procurement strategy			Y						
COMMISSIONING AND CONTRACTING FOR CLINICAL SERVICES	Approve arrangements for co-ordinating the commissioning services with other CCGs and or with the local authority where appropriate		Y							
COMMISSIONING AND CONTRACTING FOR CLINICAL SERVICES	Approve arrangements to meet the requirements of the Public Sector Equality Duty and reduction of inequalities		Y							
COMMUNICATIONS	Approving arrangements for handling Freedom of Information requests		Y							
COMMUNICATIONS	Determining arrangements for handling Freedom of Information requests						Y	Y		
VIREMENTS	Between Services > £1,000,000		Y							

Policy Area	Decision	Reserved to the Membership	Reserved/delegated to the Governing Body	Reserved/delegated to the Audit Committee	Reserved/delegated to the Remuneration Committee	Other Committees and Sub-Committees	Reserved/delegated to the Chair	Reserved/delegated to the AO	Reserved/delegated to the DAO	Reserved/delegated to the CFO
TENDERING AND CONTRACTING	Discretionary Grants >£250,000		Y							
EX-GRATIA PAYMENTS	Write off of NHS Debtors and Non-NHS Directors >£250,000 (reported to Audit Committee for information)		Y							
PRIMARY CARE COMMISSIONING	Approve arrangements for the review, planning, and procurement of primary care services under delegated authority from NHS England. (up to £100k only). within agreed and approved budget. Example could be costs associated with undertaking a procurement i.e. external non-conflicted clinical advice.					Primary Care Commissioning Committee Primary Care Operational Group				
PRIMARY CARE COMMISSIONING	Approval of the arrangements for discharging the CCG's responsibilities and duties associated with its primary care commissioning functions , including but not limited to promoting the involvement of each patient, patient choice, reducing inequalities, improvement in the quality of services, obtaining appropriate advice and public engagement and consultation, obtain advice from persons who taken together have a broad range of professional expertise and acting effectively, efficiently and economically. (up to £100k only) within agreed and approved budget. Examples perhaps of where we would want to commission a service and need to undertake a patient consultation and the costs associated with doing this – low level and under £100k – decision delegated to PCOG or PCCC (depending on what the consultation relates to). Funding from sources other than CCG allocation (e.g. NHSE-funded schemes such as GPFV) can be approved by PCCC and monitoring on use of funding through NHSE. Funding to support operational functions could be further delegated PCOG – so as not to delay day to day business.					Primary Care Commissioning Committee Primary Care Operational Group				
PRIMARY CARE COMMISSIONING	Day to day decisions on provider performance management and risk management associated with Primary Care to provide robust assurance to the Governing Body and NHS England. (up to £100k only) This would generally be associated with use of the General Practice Resilience Fund and decision should be delegated to PCOG with regular reports to PCCC as amounts are likely to be below £100k and funding is NHS England allocation ring-fenced for primary care.					Primary Care Commissioning Committee Primary Care Operational Group				
PRIMARY CARE COMMISSIONING	Approve and ratify Direct Awards (up to annual composite value per annum except where brand new which needs to be approved by Governing Body) If Direct Awards are to be rolled over – just with uplift or slight change in tariff/service specification then decision to be made by PCCC. If the Direct Award is new i.e. move to bundled package of Direct Awards, this should be approved and ratified by GB.					Primary Care Commissioning Committee				
PRIMARY CARE COMMISSIONING	Approve and ratify practice improvement schemes, having regard to guidance by the Secretary of State. Monitor and review any such schemes. (up to £1m per annum except where brand new which needs to be approved by Governing Body) New schemes e.g. Primary Care Development Scheme (value £1.5m) would need to be approved and ratified by GB.					Primary Care Commissioning Committee				
PRIMARY CARE COMMISSIONING	Approve the following primary care services: a. Primary medical care strategy; (up to £100k only) b. Planning primary medical care services (including needs assessment); (up to £100k only) c. Primary Care Estates Strategy; (up to £100k only) d. Premises improvement grants and capital developments; (up to £100k only) e. Practice mergers (up to £100k only) Examples: for premises we have established a Premises Sub Group as a sub group of PCCC – this group should be given the power to sign off and approve projects under £100k such as rent review appeals. Minor Improvement Grants will range between £5,000 and £250,000 and should be approved and ratified by PCOG/PCCC depending on scheme and value. GB should sign off any new build proposals.					Primary Care Commissioning Committee Primary Care Operational Group (only where specifically delegated to do so for premises development up to £50k)				

Policy Area	Decision	Reserved to the Membership	Reserved/delegated to the Governing Body	Reserved/delegated to the Audit Committee	Reserved/delegated to the Remuneration Committee	Other Committees and Sub-Committees	Reserved/delegated to the Chair	Reserved/delegated to the AO	Reserved/delegated to the DAO	Reserved/delegated to the CFO
PRIMARY CARE COMMISSIONING	<p>Approve and ratify proposals for the procurement of primary care services under delegated commissioning arrangements:</p> <p>a. The award of GMS, PMS and APMS contracts for primary care services to some or all of the CCG population where they are within CCG budgets (excluding GP contracts for which core contract approval/monitoring and appraisal sits with NHS England Area Team; This includes: the design of PMS and APMS contracts; and monitoring of contracts; taking contractual action such as issuing branch/remedial notices, and removing a contract); (up to £1m contract value per annum unless new)</p> <p>b. Procurement of new practice provision; (up to £100k only)</p> <p>c. Discretionary payment (e.g. returner/retainer schemes); (up to £100k only)</p> <p>d. Decisions in relation to the management of poorly performing GP practices and including, without limitation, decisions and liaison with the CQC where the CQC has reported non-compliance with standards (but excluding any decisions in relation to the performers list); (up to £100k only)</p> <p>e. Premises Costs Directions functions. (up to £100k only)</p> <p>Example primary care contract procurement leading to preferred bidder and award made by Governing Body. . Discretionary payments are likely to be under £100k as they relate to individual sickness and maternity cover, returner schemes, etc. and PCOG should be able to sign these off. Costs associated with supporting practices for CQC non-compliance would come from GPRP and would fall below £100k.</p>					Primary Care Commissioning Committee Primary Care Operational Group (discretionary payments only)				
PRIMARY CARE COMMISSIONING	<p>Advise on or approve matters relating to primary care contracting within agreed levels, specifically in relation to commissioning Locally Commissioned Services, Quality Outcomes Framework (QOF - subject to allowances within NHS England's legal framework), Out of Hour services, Walk-in Centres (including home visits as required and for out of area registered patients); (up to £100k only) within agreed and approved budget.</p> <p>Costs associated with the award of a contract to provide the GPOOHs service or MIU will almost certainly be in excess of £100k and will represent a new commissioning arrangement and therefore needs to be signed off by GB. If it is a contract extension / variation, this could go through PCCC. Small contracts to provide services e.g. for out of area patients would be below £100k and therefore signed off by PCCC falls within this limit.</p>					Primary Care Commissioning Committee Primary Care Operational Group				
PRIMARY CARE COMMISSIONING	<p>Approval proposals for primary care support and development and any associated plans in connection with commissioning and performance monitoring and development within the remit of the CCG. (up to £100k only)</p> <p>Costs associated with allocating a nurse to support a practice on a particular improvement scheme to be signed off by PCOG. Costs associated with new permanent post or service and below £100k signed off by PCCC.</p>					Primary Care Commissioning Committee Primary Care Operational Group				
INDIVIDUAL FUNDING REQUESTS	Approve and Ratify Individual Funding Requests policy recommendations (IFRs)					Executive Committee				
TENDERING AND CONTRACTING	Delegation relates to both formal external procurement and rollover of national standard or other framework (above £1m annual value otherwise delegated under scheme of delegation)					Executive Committee				
TENDERING AND CONTRACTING	Approve and ratify proposals for decommissioning within the CCG operating plan and budget plan (at any value or risk score)					Executive Committee				
TENDERING AND CONTRACTING	Notice to terminate a contract received – decision to accept and mitigate (above £100k annual contract value, otherwise delegated to accountable programme board unless high risk above 12 with value under £100k annual value)					Executive Committee				
OPERATIONAL AND RISK MANAGEMENT	<p>New or amended national criteria or clinical guidance issued with impact identified (e.g. NICE, royal colleges, CQC, national investigations/public inquiries):</p> <p>1. CCG is non-compliant with investment required to mitigate</p> <p>2. Current provider is non-compliant and patients require temporary treatment elsewhere (at cost to CCG) whilst mitigated (e.g. specialist services). (Above £25k annually including set up costs irrespective of risk score, otherwise delegated to relevant Programme Board or Formulary Management Group in relation to NICE/Medicines Management).</p> <p>Additional considerations:</p> <p>1. Separate decision on whether to implement based on whether guidance is or is not mandated.</p> <p>2. No financial impact but high risk to be considered on a case by case basis (which again will depend on whether guidance is or is not mandated)</p>					Executive Committee				
TENDERING AND CONTRACTING	Contract Performance Notices (CPNs) and Information Breach Notices (IBNs); issuing and receipt of assurance prior to decision to close. (above £100k annual contract value, otherwise delegated to accountable programme board unless high risk above 12 with value under £100k annual value)					Executive Committee				
TENDERING AND CONTRACTING	Approving expenditure where there is variation in the tender price greater than 20% or £250,000 whichever is the higher					Executive Committee				

Policy Area	Decision	Reserved to the Membership	Reserved/delegated to the Governing Body	Reserved/delegated to the Audit Committee	Reserved /delegated to the Remuneration Committee	Other Committees and Sub - Committees	Reserved/delegated to the Chair	Reserved/delegated to the AO	Reserved/delegated to the DAO	Reserved /delegated to the CFO
TENDERING AND CONTRACTING	Goods/services > £1,000,000 (Minimum 3 competitive tenders required) – subject to OJEU tender limits					Executive Committee				
TENDERING AND CONTRACTING	Discretionary Grants >£50,000 and < £250,000					Executive Committee				
DELEGATION TO OTHER COMMITTEES	Approve arrangements for decisions delegated to, and detailed within terms of reference, for the following: • Joint committees established under section 75 of the 2006 NHS Act (Joint Commissioning Programme Board and Integrated Commissioning Executive Team – ICET) • Joint groups or committees established with other CCGs in line with relevant legal frameworks and/or NHS England guidance.					Executive Committee				
REGULATION AND CONTROL	Ratify the Terms of Reference and annual work plans for all sub-groups that have accountability to the Finance Committee.					Finance Committee				
REGULATION AND CONTROL	Approve the Terms of Reference for the committee (ratified by Governing Body)					Finance Committee				
STRATEGY AND PLANNING	Approve strategy and Plans and Budgets for ratification by the Governing Body which will allow the CCG to meet its control total each year. To do so, the Committee must oversee the delivery of savings/QIPP plans (that form part of the annual cycle of plans and strategies approved by the Executive Committee), ensuring that expected savings are realised and risks mitigated. It must also ensure that all plans are supported by robust activity and financial information.					Finance Committee				
STRATEGY AND PLANNING	To agree action required to address any slippage in the above plans ; Approving any variations to planned investment within the limits set out in the detailed financial policies of the CCG, ensuring that any amended plans remain within the overall CCG budget and do not adversely affect the strategic performance of the CCG.					Finance Committee				
STRATEGY AND PLANNING	To inform the Governing Body when risks occur on best course of action agreed and taken which may be a combination of a) Calling on specific reserves set aside for the risk; b) Re-ordering the priorities within the plan so that some investments are deferred; c) Increasing savings from QIPP; d) Calling on contingencies; e) Calling on the 1% headroom if the risk is non-recurrent (where permitted by NHS guidance); f) As a last resort, reducing planned surpluses.					Finance Committee				
TENDERING AND CONTRACTING	Discretionary Grants <£50,000					Finance Committee				
REGULATION AND CONTROL	Review then approve and ratify policies, procedures and other documents for the management of patient safety risk and quality, as otherwise described within the Development and Approval Policy for Formal CCG Documents					Quality and Performance Committee				
REGULATION AND CONTROL	Ratify the Terms of Reference and annual work plans for all sub-groups that have accountability to the Quality and Performance committee					Quality and Performance Committee				
REGULATION AND CONTROL	Approve the Terms of Reference and annual work plans for the Quality and Performance Committee (ratified by Governing Body)					Quality and Performance Committee				
INDIVIDUAL FUNDING REQUESTS	Approve and ratify (and receive assurance on) Individual Funding Requests (IFRs) – all request values.					Quality and Performance Committee				
QUALITY AND SAFETY	Review closure of early warning alerts; reported through effective early warning systems which draw on a range of quality indicators and other sources of information to identify gaps in assurance about providers					Quality and Performance Committee				
QUALITY AND SAFETY	Ratify proposals for ensuring quality and developing clinical governance in services provided by the CCG's providers having regard to any guidance issued by the NHS England					Quality and Performance Committee				
PARTNERSHIP WORKING	Agree the CCGs arrangements for contributing to and working with agencies responsible for Safeguarding and Infection, Prevention and Control					Quality and Performance Committee				